

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TITUS FUGAH	:	Civil Action No.
	:	
vs.	:	
	:	Jury Trial Demanded
STATE FARM FIRE AND CASUALTY	:	
COMPANY	:	

**NOTICE FOR REMOVAL OF CIVIL ACTION  
FROM STATE COURT**

Defendant State Farm Fire and Casualty Company (“Defendant State Farm”), respectfully petitions for removal to this Court of a state civil action pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, and in support avers as follows:

1. A civil action was commenced with the filing of a Writ of Summons on September 11, 2014. A one-count Complaint was filed on October 5, 2014 by Plaintiff Titus Fugah (“Plaintiff”) against Defendant State Farm Fire and Casualty Company (“Defendant State Farm”). Defendant State Farm Fire and Casualty Company filed Preliminary Objections to Plaintiff’s Complaint on October 21, 2014. A two-count Amended Complaint was filed on November 7, 2014 by Plaintiff Titus Fugah, which is pending in the Court of Common Pleas of Philadelphia County at No. 140900156. A copy of Plaintiffs’ Amended Complaint is attached as Exhibit “A” and incorporated by reference.

2. After Defendant State Farm was served with Plaintiff’s Amended Complaint on or about November 7, 2014, Defendant State Farm ascertained that the damages being claimed exceed \$75,000.00.

3. Plaintiff's Amended Complaint, for the first time, includes two counts, each of which seeks damages in the ad damnum clause in excess of Fifty Thousand Dollars (\$50,000.00), for a total being sought in excess of One Hundred Thousand Dollars (\$100,000.00). See Exhibit "A".

4. Plaintiff's Amended Complaint seeks incidental and consequential damages against Defendant State Farm Fire and Casualty Company. See Exhibit "A".

5. The state court where this action is pending is located in Philadelphia County, Pennsylvania, which is embraced within this judicial district.

6. At the time of the filing of this action, Plaintiff was a resident of Philadelphia, Pennsylvania and a citizen of Pennsylvania. See Exhibit "A", paragraph 1.

7. Defendant State Farm is an Illinois corporation with its principal place of business in Bloomington, Illinois and is therefore a citizen of a state other than Pennsylvania. See Exhibit "A", paragraph 2.

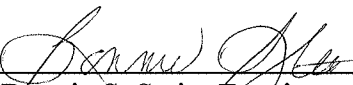
8. Plaintiff's Amended Complaint seeks a coverage declaration in excess of \$75,000.00.

9. Consequently, the amount in controversy in this matter is in excess of the sum of \$75,000.00, exclusive of interest and costs, such that the amount in controversy and the diversity requirements for federal diversity jurisdiction are satisfied and this court now has jurisdiction over this subject matter under and pursuant to 28 U.S.C. § 1332.

10. This Notice is filed within thirty (30) days of Defendant State Farm's first indication that the damages could exceed \$75,000.00.

**WHEREFORE**, Defendant State Farm Fire and Casualty Company respectfully requests that the statutory requirements, having been met, that the pending state action be moved to this Court.

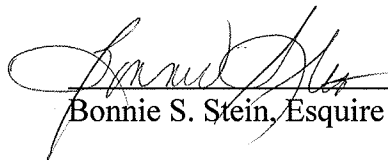
Respectfully submitted,

By:  BSS/3421  
Bonnie S. Stein, Esquire  
Attorney ID 54895  
Curtin & Heefner LLP  
250 North Pennsylvania Avenue  
P. O. Box 217  
Morrisville, PA 19067  
215-736-2521

Date: December 5, 2014

AFFIDAVIT

I, Bonnie S. Stein, Esquire, being duly sworn according to law, do hereby depose and state that I am the attorney for Defendant, State Farm Fire and Casualty Company, the Petitioner in the foregoing Notice for Removal; that I have been duly authorized by the Petitioner to execute this Affidavit; that I am familiar with the facts involved in this matter, and that the allegations set forth in the foregoing Notice for Removal are true and correct to the best of my knowledge, information and belief.

 BSS/3421  
Bonnie S. Stein, Esquire